

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

M E M O R A N D U M

Honorable Oliver W. Wanger
Senior United States District Judge
Fresno, California

RE: Steven Austin STEAGALL
Docket Number: 1:99CR05456-01
RELEASEE'S RELEASE OF INTEREST
IN SEIZED PROPERTY; REQUEST FOR
AUTHORIZATION TO DISPOSE OF
SEIZED PROPERTY

Your Honor:

The purpose of this Memorandum is to provide notification that Mr. Steagall signed a release on March 16, 2009, regarding items that were seized during a probation search that resulted in Federal Revocation proceedings in February 2006. The items seized included the following: 1) Dell Optiplex GX110 serial number B9HD801. The computer was seized by the undersigned on October 17, 2005, following the computer inspection at Mr. Steagall's residence located at 7170 Hanover Circle, Bakersfield, California 93309. 2) Personal computer, computer was seized by Supervising U. S. Probation Officer Rick C. Louviere on November 1, 2005, during a probation search at Mr. Steagall's residence located at 7170 Hanover Circle, Bakersfield, California. Mr. Steagall is scheduled to complete his term of supervised release on March 28, 2009, and signed a form releasing his interest in the seized property. The undersigned is respectfully seeking authorization from the Court for the government to dispose of seized property.

Legal History of the Case:

11/19/2001: Pled guilty to violation of 18 USC 2252(a)(2), Receiving and Distributing Material Involving the Sexual Exploitation of Minors (Class C Felony).

04/08/2002: Sentenced to 37 months custody of the Bureau of Prisons, 3 years supervised release with the following special conditions: Warrantless search;

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financial disclosure; financial restrictions; participate in substance abuse counseling/testing; abstain from consumption of alcohol and shall not frequent those places where alcohol is the chief item for sale; submit to periodic unannounced examinations of computer equipment including retrieval and copying of all data from the computer and any internal or external peripherals; consent at the direction of probation officer to having installed on his computer at his expense any hardware or software systems to monitor his computer use; disclosure of business/personal telephone records; participate in sexual offender counseling; shall not possess pornographic material or frequent places where pornographic material is the chief item for sale; shall register as required in the jurisdiction as a sexual offender; shall cooperate with IRS in the determination and payment of any taxes; shall refrain from accessing via computer any material that relates to activity in which he engaged in committing the instant offense, mainly accessing pornography of children or others.

03/03/2005: Probation 12A1 - Report of Offender Non-Compliance submitted to advise the Court that on February 23, 2005, the undersigned conducted a scheduled home contact and seized 125 issues of an adult pornographic magazine. The undersigned officer recommended the destruction of the seized pornographic material with no additional Court action. Your Honor approved the probation officer's plan and ordered the destruction of the pornographic magazines.

11/04/2005: Probation 12C Petition for Summons for offender to appear submitted to the Court alleging the following violations: Charge 1) Accessing Pornographic Computer Profiles and Websites; Charge 2) Association with a Felon; Charge 3) Failure to Comply with Probation Officers Directive; Charge 4) Consumption of an Intoxicant. On February 27, 2006, the releasee appeared before your Honor for a Dispositional Hearing. The Court found

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the releasee in violation of Charge 1) Accessing Pornographic Computer Profiles and Websites; and, Charge 2) Association with a Felon. Your Honor sentenced the releasee to 6 months in the Bureau of Prisons and ordered 30 months supervised release. Charges 3 and 4 were dismissed by the Court.

Justification: On March 16, 2009, Mr. Steagall reported to the U. S. Probation Office in Bakersfield, California, and signed a Release of Interest in Seized Property. The signed and dated Release of Interest is attached for the Court's review.

Recommendation: It is respectfully recommended that the property seized as listed in the attached Release of Interest in Seized Property document dated March 16, 2009, shall be disposed of as directed by the probation officer.

Respectfully submitted,

/s/ Lonnie E. Stockton

LONNIE E. STOCKTON
United States Probation Officer

Dated: March 20, 2009
Bakersfield, California
LES:ks

REVIEWED BY: /s/ Thomas A. Burgess
THOMAS A. BURGESS
Supervising United States Probation Officer

Attachment(s)

cc: Sheila Oberto
Assistant United States Attorney

Gregory Mitts
Defense Counsel

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AGREE: X

DISAGREE:

IT IS SO ORDERED.

Dated: March 20, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE